

Monday, December 21, 2020

Patrick Hobbins
768 Avenue E.
Port Allen, Louisiana 70767

**Re: Louisiana Board of Ethics
Docket No. 2020-808**

Dear Mr. Hobbins:

The Louisiana Board of Ethics ("Board"), at its January 8, 2021 meeting, considered your request for an advisory opinion as to whether the Louisiana Code of Governmental Ethics ("Code") would prohibit you from serving on the Capital Area Groundwater Conservation Commission ("CAGWCC") while you are employed by Placid Refining Company.

FACTS PROVIDED

You are employed by Placid Refining Company, as a chemical engineer. Earlier in 2020, you were appointed by Governor John Bel Edwards to serve on the CAGWCC as a representative for the West Baton Rouge Parish Council. You are concerned about whether the Code would prohibit your service on the CAGWCC. Placid does not have a groundwater well and is not regulated by the CAGWCC.

LAW

La. R.S. 42:1111(C)(2)(d) provides that no public servant and no legal entity in which the public servant exercises control or owns an interest in excess of twenty-five percent, shall receive any thing of economic value for or in consideration of services rendered, or to be rendered, to or for any person during his public service unless such services are: (d) Neither performed for nor compensated by any person or from any officer, director, agent, or employee of such person, if such public servant knows or reasonably should know that such person has or is seeking to obtain contractual or other business or financial relationships with the public servant's agency; conducts operations or activities which are regulated by the public employee's agency; or has substantial economic interests which may be substantially affected by the performance or nonperformance of the public employee's official duty.

CONCLUSION

The Board concluded, and instructed me to inform you, that based on the facts presented, the Code will not prohibit you from serving on the CAGWCC. Your service on CAGWCC would not violate La. R.S. 42:1111(C)(2)(d) because you are not receiving compensation from a company that is regulated by CAGWCC or does business with CAGWCC.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Governmental Ethics. The Board issues no opinion as to past conduct or as to laws other than the Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Act, and conflict of interest provisions in the gaming laws. If you have any questions, please contact me at (800) 842-6630 or (225) 219-5600.

Sincerely,

LOUISIANA BOARD OF ETHICS

LaToya D. Jordan
For the Board

DISCLAIMER
This is a draft opinion and it is **NOT** an opinion of the Louisiana Board of Ethics. No party may rely on the facts or conclusions. The analysis and conclusions herein are provided for discussion purposes only, and are subject to change or revision at the meeting of the Board of Ethics at which this matter is considered.